

Spl 98/2024
Present : Smt Sanghamitra Podder
Judge, Special Court,
3rd Court, Malda (JO Code-WB00855)

Order No. 20 dated 20-06-2025

Record is put up today on the prayer of accused Rahamat Ali and Md. Kamal Hossain.

Bail petition filed on 20-06-2025 by the aforesaid accused persons is taken up for hearing.

Ld. Defence Counsel submits that from the possession of the accused persons 486 gram brown sugar has been recovered thus, recovery of only 240 grams of brown sugar applies to each of the accused persons. Moreover, these accused persons were arrested violating the provisions of Sec. 50 of Cr.P.C corresponding to Sec. 47 of BNSS and the spirit of Article 21 and 22 of Constitution of India was not followed. They are ready to comply all the conditions imposed by this Court if enlarged on bail. So, the bail prayer should be allowed.

Ld. P.P. raised vehement objection and submit that commercial quantity of contraband articles have been seized from the possession of the accused persons.

Having heard both sides I perused the case record and considered the same.

It appears from the case record that the accused persons were caught red handed with 487 gram of brown sugar which tantamount to be commercial quantity and that to from their joint possession. CS has already been submitted with chemical examination report detecting Heroine. As such considering the nature and gravity of the offence, I am not inclined to allow the prayer of bail.

Thus, the bail petition filed by the accused Rahamat Ali and Md. Kamal Hossain dated 20-06-2025 is hereby rejected and disposed of.

To date i.e on **03-07-2025** for production and supply of copy.

D/C by me.

***Judge, Special Court,
ADJ 3rd Court, Malda.***

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ADJ 3rd Court,***